

Mr. Bailey

July 10, 1979

P.L. Andrews

MATERIAL REMOVED FROM THE OFFICE OF FORMER PRESIDENTIAL
ASSISTANT JOHN EHRLICHMAN ON 5/12/73.

PURPOSE

The purpose of this memorandum is to provide, for record purposes, the results of a review of above material by the Nixon Presidential Materials Project Staff, National Archives and Records Service (NARS), to determine whether this material would qualify as presidential papers.

DETAILS

By way of background, on 12/8/78, a telephonic request was received from Steven Garfinkel, Office of General Counsel, General Services Administration, relating to the removal of two boxes of material from the office of former Presidential Assistant John Ehrlichman on 5/12/73. Deputy Archivist James E. O'Neill had initially requested the return of this material to the custody of the General Services Administration by letter dated 7/27/78. By letter dated 10/27/78, Mr. O'Neill was advised that our efforts to locate this material were negative. Upon receipt of Mr. Garfinkel's inquiry, efforts to locate these records were renewed.

65-75085

Enclosure

- 1 - Mr. Cregar
(Attn: Mr. Gray)
- 1 - Mr. Mints
(Attn: Mr. Peterson)
- 1 - Mr. Moore
(Attn: Mr. Keenan)
- 1 - Mr. Andrews
- 1 - Mr. Bailey (Admin.)
- ① - Miss Glock

CMG:km
(7)

CONTINUED OVER

Memorandum Andrews to Bailey
RE: MATERIAL REMOVED FROM THE OFFICE OF FORMER
PRESIDENTIAL ASSISTANT JOHN EHRLICHMAN 5/12/73.

The material was ultimately located and consisted of FBI documents which were removed from Bureau custody in 1971 and subsequently recovered from the White House on 5/12/73. The inventory, dated 7/6/73, consists of 42 pages and provides a description of some 300 documents, many of which are classified Top Secret. It was the opinion of this Bureau that these records, which are a part of official FBI files, are not presidential papers, as defined, but would be scheduled for proper disposition through our records control schedule. Accordingly, Mr. James B. Rhoads, Archivist of the United States, was furnished this information on 6/8/79.

In response to this letter, Mr. O'Neill advised by letter, dated 6/20/79, (attached) that a member of the Nixon Presidential Materials Project Staff would arrange a mutually agreeable time to examine the inventory to this material and the related documents.

On 6/26/79, Mr. Jim Hastings and Ms. Joan Howard of the Projects Staff and Henry J. Wolfinger, Records Disposition Division, NARS, reviewed the inventory, which appears as serial 386 of the SPECOV file (65-75085), and several related documents in the presence of a member of the Research Staff. The Projects Staff was primarily interested in certain original letters directed to H. R. Haldeman, former White House Chief of Staff. With the aid of information obtained from our inventory, Mr. Hastings and Ms. Howard planned to renew their search for these documents among the presidential papers in their possession.

On 6/27/79, Ms. Howard telephonically advised that the documents previously unaccounted for were located among the official papers of J. Fred Buzhardt, Special Counsel to former President Richard M. Nixon.

Memorandum Andrews to Bailey
RE: MATERIAL REMOVED FROM THE OFFICE OF FORMER
PRESIDENTIAL ASSISTANT JOHN EHRLICHMAN 5/12/73.

Ms. Howard and Mr. Hastings expressed their appreciation for our assistance and could foresee no further need to access these records.

RECOMMENDATION

None. For information.



General Services Administration National Archives and Records Service Washington, DC 20408

JUN 20 1979

Mr. William L. Bailey, Assistant Director
Records Management Division
Federal Bureau of Investigation
Washington, D.C. 20535

W. L. Bailey
John Ehrlichman
Deputy Dir.
2/2/80

Dear Mr. Bailey:

Thank you for your letter of June 8, 1979, concerning FBI documents removed from the office of John Ehrlichman.

We appreciate your offer to allow us to examine the inventory and related material. A member of our Nixon Presidential Materials Project Staff will contact Special Agent Awe to arrange a convenient time to review this material.

We assume that you will keep in mind that any documents among these materials that concern the initiation, implementation and termination of an electronic surveillance project are considered permanently valuable and should not be destroyed. This is in accordance with a previous request to dispose of electronic surveillance documents, as described in the enclosed copy of a letter from Attorney General Edward Levi, with its attachment.

Sincerely,

*No ack. rec.
eng. 7/3/79*

James E. O'Neill
JAMES E. O'NEILL
Deputy Archivist
of the United States

Enclosure